

**The original documents are located in Box 122, folder “4/3/75 - Phnom Penh Evacuation” of the John Marsh Files at the Gerald R. Ford Presidential Library.**

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IRS are presented in their homes or places of work....They come across like common-man heroes of a Frank Capra movie and the IRS is left to play the role of unfeeling villain.

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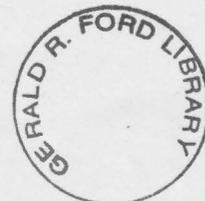
Arnold R. Isaacs, Baltimore Sun, Phnom Penh: Losing a war is not a simple matter, and some of the complexities are coming into view as the United States Embassy here gets deeper into planning the possible evacuation of Americans and other foreigners remaining in Cambodia. The "bugout plan," as it is usually referred to, does not sound complicated, but it is, as was shown this week when the U. S. Ambassador, John Gunther Dean, tried to begin cutting down the staffs of relief agencies. Because the beginning of an American pullout might cause panic among the Cambodians, Mr. Dean had to reverse course when word of his order leaked out. The whole episode was denied officially, but not before it had given a glimpse of the ambassador in the position of a man trying to pull playing cards out of the middle of an intricate card-house without causing the whole structure to collapse -- and without letting anyone know that he was doing anything at all.

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Wall Street Journal, Panama City, Panama: The government of Panama has decided to take over the Cerro Colorado copper property in Panama being developed by Canadian Javelin Ltd. Gen. Omar Torrijos Herrera, President of Panama, said in a statement the decision follows the breakdown of talks earlier this month between the government and a group Canadian Javelin had formed to develop the copper deposit, which is reportedly one of the world's largest. "Gen. Torrijos said: "Our negotiating team made every effort to conclude an arrangement for an exploitation concession. Unfortunately this wasn't possible, and by mutual consent the negotiations were terminated. We have therefore decided to indemnify and compensate. ...We will make an initial payment of \$5 million." Canadian Javelin earlier this month said its investments and advances for all phases of the Cerro Colorado project totaled about \$25 million.

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Christian Science Monitor, "Stage Manager for Panama Peace," by Benjamin Welles: Gen. Omar Torrijos unchallenged authority in this nation of 1.6 million people appears to be a key factor in the current U. S.-Panamanian negotiations for a new canal treaty -- and for a better political relationship. General



70 members (Democrat) —  
who met today with  
McCluskey and all  
opposed. Used ~~meeting~~  
meeting as media  
event for attack on  
Presidential speech.  
Treated McCluskey  
with uncivility  
& insults.



Stennis — has scheduled  
hearings on  
President's request  
for Tuesday.

McClure — great speech, but  
we are throwing  
money away &  
would simply ~~be~~  
prolong fighting.  
Believe it is too  
late.

Case — reaction was  
neutral. Doubtful  
about getting  
aid thru.

Manfull called a meeting  
of Senate Foreign Relations  
Committee at 2 P.M.

Tomorrow.



TALKING NOTES FOR PHONE CONFERENCE WITH HOUSE AND  
SENATE LEADERS CONCERNING PHNOM PENH EVACUATION

1. The President has authorized our Ambassador in Phnom Penh to begin evacuation of the American staff under our established evacuation plans. Phase One will begin immediately and will reduce down to a bare minimum essential staff those Americans remaining. It will utilize fixed-wing aircraft and the civilian airport. Most US citizens, some third-country nationals, and some Khmer will be lifted out under Phase One.
2. Should it become essential--because of security developments in Phnom Penh--to remove the remaining minimum staff, this will be done. You should be aware that this final step could require, in extreme circumstances, the use of helicopters and limited number of Marine security forces to secure landing zones.
3. It is essential that information be held in strictest confidence to prevent any publicity that could jeopardize the safety of the remaining Americans in Phnom Penh.



November 7, 1973

- 5 -

Pub. Law 93-148

SEPARABILITY CLAUSE

SEC. 9. If any provision of this joint resolution or the application thereof to any person or circumstance is held invalid, the remainder of the joint resolution and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 10. This joint resolution shall take effect on the date of its enactment.

CARL ALBERT

*Speaker of the House of Representatives.*

JAMES O. EASTLAND

*President of the Senate pro tempore.*

IN THE HOUSE OF REPRESENTATIVES, U.S.,

*November 7, 1973.*

The House of Representatives having proceeded to reconsider the resolution (H. J. Res. 542) entitled "Joint resolution concerning the war powers of Congress and the President", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

*Resolved*, That the said resolution pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

W. PAT JENNINGS

*Clerk.*

I certify that this Joint Resolution originated in the House of Representatives.

W. PAT JENNINGS

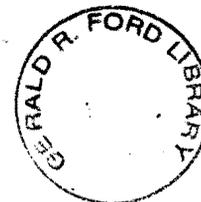
*Clerk.*

IN THE SENATE OF THE UNITED STATES

*November 7, 1973.*

The Senate having proceeded to reconsider the joint resolution (H. J. Res. 542) entitled "Joint resolution concerning the war powers of Congress and the President", returned by the President of the United States with his objections to the House of Representatives, in which it originated, it was

87 STAT. 559  
87 STAT. 560



*Resolved*, That the said joint resolution pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

FRANCIS R. VALEO

*Secretary.*

---

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 93-287 (Comm. on Foreign Affairs) and No. 93-547 (Comm. of Conference).

SENATE REPORT No. 93-220 accompanying S. 440 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 119 (1973):

June 25, July 13, considered and passed House.

July 18 - 20, considered and passed Senate, amended, in lieu of S. 440.

Oct. 10, Senate agreed to conference report.

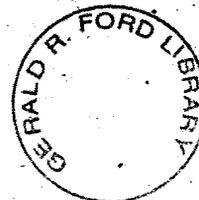
Oct. 12, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 9, No. 43:

Oct. 24, vetoed; Presidential message.

CONGRESSIONAL RECORD, Vol. 119 (1973):

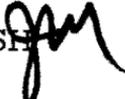
Nov. 7, House and Senate overrode veto.



THE WHITE HOUSE  
WASHINGTON

April 3, 1975

MEMO FOR: DON RUMSFELD

FROM: JACK MARSH 

Attached for the President's consideration is the report on Congressional contacts in re the Phnom Penh matter.

Since he had departed before this was completed, please inform Henry.

Thanks.



Attachment



THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation

Senator Case

Time: 9:30 p.m.

Place reached: D.C.

Comment: O.K. Believes War Powers Act does not cover rescue operation.

*W. H. Case*





## Department of State

TELEGRAM

~~SECRET~~

NOD860

PAGE 01 STATE 075748

00  
ORIGIN NODS-00

INFO OCT-01 /001 R

DRAFTED BY H-KJENKINS;MT  
 APPROVED BY H-KEMPTON JENKINS  
 NBC - GEN. SCOWCROFT  
 L - MR. LEIGH  
 DOD - MR. FRYKLUND  
 WH - MR. WOLTHIUS  
 EA - MR. HABIB  
 M - MR. EAGLEBURGER (SUBS)  
 S/S - MR. ORTIZ

----- 101575

O 032155Z APR 75 ZFF4  
 FM SECSTATE WASHDC  
 TO AMEMBASSY MADRID IMMEDIATE

~~SECRET~~ STATE 075748

NODIS

E.O. 11652: GDS

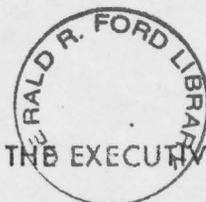
TAGS: PFOR, OREP, (SCOTT, HUGH)

SUBJECT: CAMBODIA

1. PLEASE PASS THE FOLLOWING MESSAGE FROM JOHN MARSH, WHITE HOUSE, TO SENATOR HUGH SCOTT ASAP:
2. BEGIN MESSAGE: THE PRESIDENT HAS AUTHORIZED OUR AMBASSADOR IN PHNOM PENH TO BEGIN EVACUATION OF THE AMERICAN STAFF UNDER OUR ESTABLISHED EVACUATION PLANS. PHASE ONE WILL BEGIN IMMEDIATELY AND WILL REDUCE DOWN TO A BARE MINIMUM ESSENTIAL STAFF THOSE AMERICANS REMAINING. IT WILL UTILIZE FIXED-WING AIRCRAFT AND THE CIVILIAN AIRPORT. MOST US CITIZENS, SOME THIRD-COUNTRY NATIONALS, AND SOME KHMER WILL BE LIFTED OUT UNDER PHASE ONE.

~~SECRET~~

Wtm 1/27/98





Department of State

TELEGRAM

~~SECRET~~

PAGE 02 STATE 075748

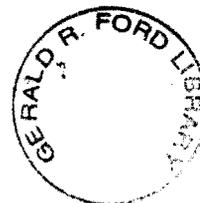
3. SHOULD IT BECOME ESSENTIAL--BECAUSE OF SECURITY DEVELOPMENTS IN PHNOM PENH--TO REMOVE THE REMAINING MINIMUM STAFF, THIS WILL BE DONE. YOU SHOULD BE AWARE THAT THIS FINAL STEP COULD REQUIRE, IN EXTREME CIRCUMSTANCES, THE USE OF HELICOPTERS AND LIMITED NUMBER OF MARINE SECURITY FORCES TO SECURE LANDING ZONES.

4. IT IS ESSENTIAL THAT THIS INFORMATION BE HELD IN STRICTEST CONFIDENCE TO PREVENT ANY PUBLICITY THAT COULD

JEOPARDIZE THE LIVES OF THE REMAINING AMERICANS IN PHNOM PENH. END MESSAGE.

5. PLEASE CONFIRM WHEN MESSAGE HAS BEEN DELIVERED. KISSINGER

~~SECRET~~





Department of State

TELEGRAM

~~SECRET~~

NOD863

PAGE 01 STATE 075749

00  
ORIGIN NODS-00

INFO OCT-01 /001 R

DRAFTED BY KJENKINS/MT  
APPROVED BY H-KEMPTON JENKINS  
NSC - GEN. SCORCROFT  
L - MR. LEIGH  
DOD - MR. FRYKLUND  
WH - MR. WOLTHIUS  
EA - MR. HABIB  
M - MR. EAGLEBURGER (SUBS)  
S/S - MR. ORTIZ

----- 101654

O 032156Z APR 75 ZFF4  
FM SECSTATE WASHDC  
TO USLO PEKING IMMEDIATE

~~SECRET~~ STATE 075749

NODIS

E.O. 11652: GDS

TAGS: PFOR, OREF, (ALBERT, CARL)(RHODES, JOHN)

SUBJECT: CAMBODIA

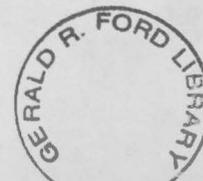
FOR THE AMBASSADOR

1. PLEASE PASS THE FOLLOWING MESSAGE FROM JOHN MARSH,  
WHITE HOUSE, TO REPS. ALBERT AND RHODES ASAP:

2. BEGIN MESSAGE: THE PRESIDENT HAS AUTHORIZED OUR  
AMBASSADOR IN PHNOM PENH TO BEGIN EVALUATION OF THE AMERI-  
CAN STAFF UNDER OUR ESTABLISHED EVACUATION PLANS. PHASE  
ONE WILL BEGIN IMMEDIATELY AND WILL REDUCE DOWN TO A BARE  
MINIMUM ESSENTIAL STAFF THOSE AMERICANS REMAINING. IT  
WILL UTILIZE FIXED-WING AIRCRAFT AND THE CIVILIAN AIRPORT.

~~SECRET~~

WHM 1/27/98



ALBERT  
RHODES

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D  
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Department of State

TELEGRAM

~~SECRET~~

PAGE 02 STATE 075749

MOST US CITIZENS, SOME THIRD-COUNTRY NATIONALS, AND SOME KHMER WILL BE LIFTED OUT UNDER PHASE ONE.

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5. PLEASE CONFIRM WHEN MESSAGE HAS BEEN DELIVERED. KISSINGER



~~SECRET~~



Department of State

TELEGRAM

~~SECRET~~

NOD859

PAGE 01 STATE 075750

00  
ORIGIN NODS-00

INFO OCT-01 /001 R

DRAFTED BY H:KBJENKINS:RMS  
APPROVED BY H - KEMPTON JENKINS  
M-MR.EAGLEBURGER (SUBS)  
L-MR.LEIGH  
EA-MR.HABIB  
DOD-MR.FRYKLUND  
WH-MR.WULTHIUS  
NSC-GEN.SCONCROFT  
S/S - MR. ORTIZ

101540

O 032158Z APR 75 ZFF4  
FM SECSTATE WASHDC  
TO AMEMBASSY TEL AVIV IMMEDIATE  
AMCONSUL JERUSALEM NIACT IMMEDIATE

SECRET STATE 075750

NODIS

E.O. 11652: GDS

TAGS: PFOR, OREP (O'NEILL, THOMAS; PRICE, MELVIN)

SUBJECT: CAMBODIA

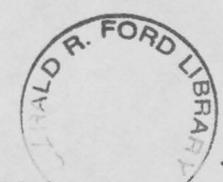
FOR THE AMBASSADOR

1. PLEASE PASS THE FOLLOWING MESSAGE FROM JOHN MARSH,  
WHITE HOUSE, TO CONGRESSMEN THOMAS O'NEILL AND MELVIN PRICE  
ASAP:

2. BEGIN MESSAGE; THE PRESIDENT HAS AUTHORIZED OUR  
AMBASSADOR IN PHNOM PENH TO BEGIN EVACUATION OF THE AMERI-  
CAN STAFF UNDER OUR ESTABLISHED EVACUATION PLANS. PHASE  
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~~SECRET~~

WHM 1/27/98



NODS-001

O'NEILL  
PRICE



Department of State

~~SECRET~~

PAGE 02 STATE 075750

MINIMUM ESSENTIAL STAFF THOSE AMERICANS REMAINING. IT WILL UTILIZE FIXED-WING AIRCRAFT AND THE CIVILIAN AIRPORT. MOST US CITIZENS, SOME THIRD-COUNTRY NATIONALS, AND SOME KHMER WILL BE LIFTED OUT UNDER PHASE ONE.

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5. PLEASE CONFIRM WHEN MESSAGE HAS BEEN DELIVERED. KISSINGER

~~SECRET~~



SECRET

CONGRESSIONAL LEADERSHIP  
CONTACTS--PHNOM PENH  
EVACUATION  
4/3/75

HOUSE

Albert — ok!  
Rhodes — Hope goes ok; thanks to you have to  
O'Neill — (out for supper) / Quon - TKs  
— Michel  
Price — expedited this, TKs.  
Wilson — G/um news. TKs.  
— Morgan  
\* Broomfield TKs  
— McFall — Expected, seemed ok!

*St/*

SENATE

✓ Eastland Spt them. Gedsjand  
✓ Mansfield — Got them out. Air cover.  
✓ Scott, H. —  
✓ Griffin — TKs, concerned about S/V  
✓ Byrd, R. — unavail till 9:45  
— Stennis  
✓ Thurmond — ok! Hope can take Cambod  
\* Sparkman —  
7:45 Case — IN + out.

\* Pleased to hear it was taking place  
Best speech he's ever heard!

SECRET

Determined to be Administrative Marking  
Date 1/28/98 By KBH



MEMORANDUM

~~SECRET~~

THE WHITE HOUSE

WASHINGTON

April 3, 1975

TO: DON RUMSFELD

FROM: JACK MARSH 

Bill Kendall reached Seantor Case tonight at 9:30 re the Phnom Penh matter. You will recall that Case was a principal author of the War Powers Legislation.

In response to the information Kendall gave him, Case responded that the Senate Foreign Relations staff had prepared for the signature of Sparkman and himself, a letter requiring consultation in reference to the evacuation type operations which he, Case, had refused to sign and therefore was abandoned.

Case advised the staff the War Powers Act does not cover rescue operations and therefore Congressional consultation is not necessary. He indicated his approval of the President's plan.

We believe it best not to go public at this time with Case's comment until we can do some further background which we will do first thing tomorrow.



Determined to be Administrative M...king  
Date 1/28/98 By KBH

~~SECRET~~

SECRET/NODIS

DRAFT CABLE

FOR THE AMBASSADOR

1. Please inform (Senator \_\_\_\_\_) (Congressman \_\_\_\_\_) of the following developments ASAP:

2. BEGIN MESSAGE: The President has authorized our Ambassador in Phnom Penh to begin evacuation of the American staff under our established evacuation plans. Phase One will begin immediately and will reduce down to a bare minimum essential staff those Americans remaining. It will utilize fixed-wing aircraft and the civilian airport. Most US citizens, some third-country nationals and some Khmer will be lifted out under Phase One.

3. Should it become essential--because of security developments in Phnom Penh--to remove the remaining minimum staff, this will be done. You should be aware that this final step could require, in extreme circumstances, the use of helicopters and limited number of Marine security forces to secure landing zones.

4. It is essential that information be held in strictest confidence to prevent any publicity that could jeopardize the lives of the remaining Americans in Phnom Penh. END MESSAGE.

5. Please confirm when message has been delivered.

/s/ John O. Marsh, Jr.  
Counsellor to the President



Determined to be Administrative Marking

Date 1/29/98 By KBH

# ~~SECRET~~

## TALKING NOTES FOR PHONE CONFERENCE WITH HOUSE AND SENATE LEADERS CONCERNING PHNOM PENH EVACUATION

1. The President has authorized our Ambassador in Phnom Penh to begin evacuation of the American staff under our established evacuation plans. Phase One will begin immediately and will reduce down to a bare minimum essential staff those Americans remaining. It will utilize fixed-wing aircraft and the civilian airport. Most US citizens, some third-country nationals, and some Khmer will be lifted out under Phase One.
2. Should it become essential--because of security developments in Phnom Penh--to remove the remaining minimum staff, this will be done. You should be aware that this final step could require, in extreme circumstances, the use of helicopters and limited number of Marine security forces to secure landing zones.
3. It is essential that information be held in strictest confidence to prevent any publicity that could jeopardize the safety of the remaining Americans in Phnom Penh.

Determined to be Administrative Marking  
Date 1/28/98 By KBN



~~SECRET~~

CONGRESSIONAL LEADERSHIP  
CONTACTS - PHNOM PENH  
EVACUATION  
4/3/75

House

Albert	cable/China via U. S. Ambassador
Rhodes	cable/China via U. S. Ambassador
O'Neill	cable/Egypt via U. S. Ambassador
Michel	see notes attached
Price	cable/Egypt via U. S. Ambassador
Wilson	cable/Egypt via U. S. Ambassador
Morgan	see notes attached
Broomfield	see notes attached
McFall	see notes attached

Senate

Eastland	see notes attached
Mansfield	see notes attached
Scott, H.	cable/Spain via U. S. Ambassador
Griffin	see notes attached
Byrd, R.	see notes attached
Stennis	see notes attached
Thurmond	see notes attached
Sparkman	see notes attached
Case	unable to reach - travel status



*(contacted subsequent  
to preparation of this  
summary, see  
notes infra)  
gm*

Determined to be Administrative Marking  
Date Y22/98 By KBH

TRANSMITTED BY:  
(Date & Time Stamp)

RECEIVED BY:  
(Date & Time Stamp)

DEPARTMENT OF STATE  
Operations Center

LDX MESSAGE RECEIPT

S/S #

'75 APR 3 PM 1.54

*BCA*

DEPARTMENT OF STATE

136 APR 3 PM 1.54

LDX MESSAGE NO. 136, CLASSIFICATION SECRET, NO. PAGES 1

DESCRIPTION OF MSG. draft telegram

FROM: K. Jenkins, H, 23436, 7256  
Officer Office Symbol Extension Room Number

LDX TO: DELIVER TO: EXTENSION: ROOM NUMBER:

NSC, Gen. Scowcroft, 456-2255

FOR: CLEARANCE  INFORMATION  PER REQUEST  COMMENT

REMARKS:

VALIDATED FOR TRANSMISSION BY: [Signature]  
Executive Secretariat Officer

*See Corrections*

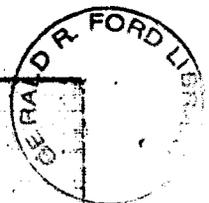


DRAFT CABLE

FOR THE AMBASSADOR

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3. Should it become essential--because of ~~ex~~ security developments in Phnom Penh--to remove the remaining minimum staff, this will be done. You should be aware that this final step could require, in extreme circumstances, the use of helicopters and limited number of Marine security forces to secure landing zones.
4. It is essential that ~~this~~ information ~~be~~ held in strictest confidence ~~to prevent~~ <sup>to prevent</sup> ~~that~~ <sup>that</sup> any publicity ~~could~~ <sup>could</sup> jeopardize the ~~lives~~ <sup>lives</sup> of the remaining Americans in Phnom Penh. END MESSAGE.
5. Please confirm when message has been delivered.

Clearances: L - Mr. Leigh  
DOD - Mr. Fryklund  
WH - Mr. Wolthius  
EA - Mr. Habib  
M - Mr. Eagleburger



Determined to be Administrative Marking

Date 1/28/98 By KSH

~~SECRET~~  
THE WHITE HOUSE  
WASHINGTON

April 3, 1975

MEMORANDUM FOR: JACK MARSH  
THRU: MAX FRIEDERSDORF *AKW*  
VERN LOEN  
FROM: CHARLES LEPPERT, JR. *CLJ.*  
SUBJECT: Member Contact and Reaction on  
Status in Cambodia

Member contact and reaction on the above subject are attached.

*Four reports attached.*



Determined to be Administrative Marking

Date 1/28/98 By KBH

# ~~SECRET~~

Member: Bill Broomfield  
Date: 4/3/75  
Time: 2:39 p. m.  
Place: Washington, D. C.  
Available: Yes - spoke personally w/Member  
Message: Read message as status report to Member  
Comments: "No comments. President doing proper thing under the circumstances."



Determined to be Administrative Marking  
Date 4/28/98 By KBH

~~SECRET~~

Member: Bob Michel  
Date: 4/3/75  
Time: 2:43 p. m.  
Place: District Office, Peoria, Ill.  
Available: Yes - spoke personally w/member  
Message: Read message as status report  
Comments: "No more than what we could expect."

Determined to be Administrative Marking  
Date 1/28/98 By K04



SECRET

Member: Thomas "Doc" Morgan  
Date: 4/3/75  
Time: 2:59 p. m.  
Place: Washington, *P.A.F. City*  
Available: Yes, spoke personally with Member  
Message: Read message on status report to Member  
Comments: "Doesn't sound very good. Thank you."



Determined to be Administrative Marking  
Date 4/29/99 By KBH

~~SECRET~~

Member: John McFall

Date: 4/3/75

Time: 3:15 p. m.

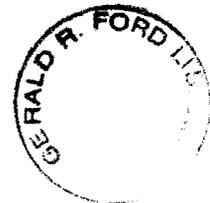
Place: Yosemite National Park, Calif.

Available: Yes, spoke personally with Member

Message: Read message as status report

Comments: No comments -- Kind of expected that. Spoke of call from Rep. Ed Pattison of N. Y. on his invite to Paris by Society of Friends in N. Y. Asked that we help Pattison. Advised that we would assist Pattison on information that State Dept. has on the proposed Paris meeting.

Determined to be Administrative Marking  
Date 1/28/98 By KBH



~~SECRET~~

THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation

Senator Thurmond by Kendall

Time: 3:15 p.m.

Place reached: South Carolina

Comment: Hopes President does all he can to help South Vietnam and Cambodia

*W. Kendall*

Determined to be Administrative Marking

Date 1/28/98 By KBH



~~SECRET~~

THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation:

Senator Griffin by Kendall

Time: 7:15 p. m.

Place reached: Las Vegas

Comment: Made no comment on the message, but did not indicate  
an adverse position.

NOTE: First attempts to reach Griffin were not successful  
because he was in travel status



Determined to be Administrative Marking

Date 1/28/98 By KBH

~~SECRET~~

THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation

Senator Eastland by Kendall

Time: 7:35 p.m.

Place reached: Mississippi

Comment: Agrees with it, but said, "Why in the hell don't  
we drop the bomb on North Vietnam".



Determined to be Administrative Marking  
Date 1/28/98 By KBH

~~SECRET~~

THE WHITE HOUSE  
WASHINGTON

April 3, 1975

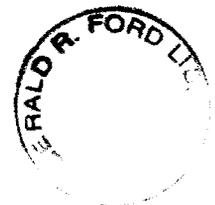
Notification of Phnom Penh evacuation

Senator Robert Byrd by Kendall

Time: 7:30 p. m.

Place reached: Washington, D. C.

Comment: This is something that has to be done.



Determined to be Administrative Marking

Date 1/28/98 By KBH

~~SECRET~~

THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation

Senator Mansfield by Kendall

Time: 2:30 p.m.

Place reached: Florida

Comment: Little bit leery of use of Marines. Ought to be plenty of time to get out.

*W. G. Call*



Determined to be Administrative Marking

Date 1/28/98 By KBH

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THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation

Senator Sparkman by Kendall

Time: 4:00 p.m.

Place reached: Alabama

Comment: Certainly a mess. Appears to be a good plan.

*K. Kendall*



Determined to be Administrative Marking

Date 1/28/98 By KSH

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THE WHITE HOUSE  
WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation:

Senator Stennis by Marsh

Time: 7:40 p.m.

Place reached: Alumni Hall, University of Mississippi,  
Oxford, Mississippi

Comment: Appreciated the call. He had an understanding and a cooperative attitude. Said he approved of whatever steps the President had to take in this particular regard. Raised question about level ammunition stocks available to South Vietnamese. Mentioned he had planned to hold hearings on this subject Tuesday but may defer pending developments.

NOTES: Efforts to reach Senator Stennis began at approximately 2 p.m., but were unsuccessful during the afternoon until it was learned from his Administrative Assistant his whereabouts in Mississippi. He was reached on the third attempt.

Determined to be Administrative Marking  
Date 4/28/98 By KBH



THE WHITE HOUSE

WASHINGTON

April 3, 1975

Notification of Phnom Penh evacuation

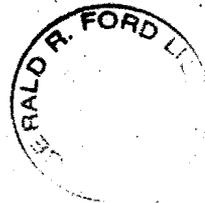
Senator Case

Time: 9:30 p.m.

Place reached: D.C.

Comment: O.K. Believes War Powers Act does not cover rescue operation.

*W. Case*



Text of President's Message to the Speaker of the House and President  
pro tempore of the Senate

April 4, 1975

As you know, last Saturday I directed United States participation in an international humanitarian relief effort to transport refugees from DaNang and other seaports to safer areas farther south in Vietnam. The United States has been joined in this humanitarian effort by a number of other countries who are offering people, supplies, and vessels to assist in this effort. This effort was undertaken in response to urgent appeals from the Government of the Republic of Vietnam because of the extremely grave nature of the circumstances involving the lives of hundreds of thousands of refugees. This situation has been brought about by large-scale violations of the agreement ending the war and restoring the peace in Vietnam by the North Vietnamese who have been conducting massive attacks on the northern and central provinces of South Vietnam.

In accordance with my desire to keep the Congress fully informed on this matter, and taking note of the provision of Section 4(a)(2) of the War Powers Resolution (Public Law 93-148), I wish to report to you concerning one aspect of United States participation in the refugee evacuation effort. Because of the large number of refugees and the overwhelming dimensions of the task, I have ordered U.S. Naval vessels to assist in this effort, including amphibious task group 76.8 with 12 embarked helicopters and approximately 700 Marines. These Naval vessels have been authorized to approach the coast of South Vietnam to pick up refugees and U.S. Nationals, and transport them to safety. Marines are being detailed to vessels participating in the rescue mission. The first vessel entered South Vietnam territorial waters at 0400 a.m. EDT on April 3, 1975.

Although these forces are equipped for combat within the meaning of Section 4(a)(2) of Public Law 93-148, their sole mission is to assist in the evacuation including the maintenance of order on board the vessels engaged in that task.

As stated above, the purpose of the introduction of United States Naval vessels into Vietnamese waters is to assist in an international humanitarian effort involving vessels of several nations, including both military and civilian craft. The United States' participation in this effort includes the charter of commercial vessels, the use of military sealift command vessels with civilian crews, as well as United States naval vessels with military crews. This effort is being undertaken pursuant to the President's constitutional authority as Commander-in-Chief and Chief Executive in the conduct of foreign relations and pursuant to the Foreign Assistance Act of 1961, as amended, which authorizes humanitarian assistance to refugees, civilian war casualties and other persons disadvantaged by hostilities or conditions relating to hostilities in South Vietnam.

You will appreciate, I am sure, my difficulty in telling you precisely how long United States Forces may be needed in this effort. Our present estimate, however, is that this operation may involve the presence of United States Naval vessels in Vietnamese waters for a period of at least several weeks.



/s/ GERALD R. FORD